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Attorneys for Defendant
PATREON, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BRAYDEN STARK, JUDD OOSTYEN,
ISAAC BELENKIY, VALERIE BURTON,
LAURA GOODFIELD, and DENOVIA
MACK, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

PATREON, INC.,

Defendant.

Case No. 3:22-CV-03131-JCS

**DECLARATION OF FRED NORTON IN
SUPPORT OF PATREON'S OPPOSITION TO
PLAINTIFFS' ADMINISTRATIVE MOTION
TO CONTINUE CLASS CERTIFICATION
SCHEDULE NINETY DAYS**

1 I, Fred Norton, declare as follows:

2 1. I am an attorney admitted to practice law in California and before this Court. I am a
3 partner at The Norton Law Firm PC and counsel of record for Defendant Patreon, Inc. Except where
4 otherwise stated, the statements in this declaration are based on my own personal knowledge and, if
5 called to do so, I could and would testify competently to them.

6 2. On January 18, 2024, Patreon's counsel (specifically, attorney Celine Purcell) emailed to
7 plaintiffs' counsel a proposed stipulation covering the briefing schedule for the March 15, 2024 motion
8 for class certification and the timing of class-related expert disclosures and class-related expert
9 discovery. That proposal anticipated that with a March 15 filing date, briefing, expert discovery, and
10 the four-week period before the hearing, the hearing would occur in early June.

11 3. Plaintiffs' counsel did not respond, so Patreon sent a follow up email to plaintiffs'
12 counsel on January 24. On Friday, January 26, plaintiffs' counsel wrote back, without addressing the
13 proposed stipulation. Instead, plaintiffs' counsel stated that, in light of the Court's order that day
14 concerning discovery from Meta, plaintiffs would file a motion to extend the deadline for their class
15 certification motion. Plaintiffs asked Patreon to consent to 90 days but threatened to seek an even
16 longer delay if Patreon declined.

17 4. On Monday, January 29, Patreon responded by email. Given that the sole basis for the
18 requested 90-day extension was the need for discovery from Meta, and the Court's January 26 order
19 anticipated disputes about both documents and testimony would be resolved by February 15, Patreon
20 proposed that the parties discuss the extension after the February 15 Meta deposition. A true and
21 correct copy of the email exchange summarized in paragraphs 2-4 and Patreon's proposed stipulation
22 included with the initial email is attached hereto as Exhibit A.

23 5. Separately, on January 30, Patreon informed plaintiffs' counsel it was available for the
24 Meta deposition on February 5, 6, 7, 8, 12, 14 or 15, and was amenable to coordinating the deposition
25 with other cases.

26 6. Between January 29 and February 6, 2024, I exchanged a series of emails with
27 plaintiffs' counsel concerning the status of plaintiffs' discovery requests to Meta. A true and correct
28 copy of that email exchange is attached hereto as Exhibit B. Although Patreon has not been a party to

1 the negotiations between plaintiffs and Meta, it is my understanding that plaintiffs and Meta have
2 reached some kind of an agreement with respect to the production of data that resolves their discovery
3 dispute and allows the Meta deposition in this case to proceed no later than March 15, 2024.

4 7. I will be entirely unavailable for work for about twelve days in early to mid-July 2024. I
5 am scheduled to go on remote vacation with my family during this period. This vacation was planned
6 and paid for more than 18 months ago. This vacation does not affect my ability to comply with any
7 dates in the current schedule in this case.

8 I declare under penalty of perjury and the laws of the United States that the statements in this
9 declaration are true and correct to the best of my knowledge, and that this declaration was executed on
10 February 7, 2024 in Oakland, California.

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12 /s/ Fred Norton
13 Fred Norton
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